



PATENT

RECEIVED
SEP 30 2002
TECHNOLOGY CENTER 2800

2881
\$

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
Asbury et al.)
Serial No: 09/847,645)
Filed: May 1, 2001)
For: DEVICE AND METHODS FOR)
DETECTING SAMPLES IN A)
FLOW CYTOMETER INDEPENDENT)
OF VARIATIONS IN FLUORESCENCE))
POLARIZATION)

Conf. No.: 6607
Group Art Unit: 2881
Examiner: D. Vanore

#7
10-1-02
C. Bean

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, in an envelope addressed to: The Commissioner for Patents, Washington, D.C. 20231:

Sept 20, 2002
(date of deposit)
Albert J. Bann
Signature

Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO OFFICE ACTION

Responsive to the Office Action mailed July 23, 2002, entry of the following remarks is respectfully requested.

REMARKS

Claims 1-19 are pending in the above-identified application and are subject to a restriction requirement under 35 U.S.C. § 121.

The Office Action mailed July 23, 2002, alleges that the claims are directed to two independent inventions and restriction to one of the inventions for prosecution is required. The two independent inventions have been set forth in the Office Action as shown below: